

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GEORGE ELLIS WALLACE,  
Plaintiff,  
v.  
DAVIS, et al.,  
Defendants.

Case No. [17-cv-05488-SI](#)

**ORDER EXTENDING DEADLINES**

Re: Dkt. Nos. 13, 18

The court dismissed the complaint with leave to amend, requiring plaintiff to file an amended complaint by February 12, 2018. Docket No. 8. Two months after the deadline passed and no amended complaint had been filed, the court ordered service of process on the defendants for claims that it had found cognizable in the original complaint. Docket No. 10. A week thereafter, plaintiff filed a request for an extension of the long-passed deadline to file an amended complaint. He failed to show good cause for his delay, and apparently has not yet prepared the amended complaint the court told him to file by February 12, 2018 -- as evidenced by the fact that he seeks a 60-day extension to file his amended complaint. The court is dismayed by plaintiff's unjustified delay in tending to his obligation to file an amended complaint. Nonetheless, in the interest of justice the court will GRANT the request, although for a shorter extension than plaintiff requests. Docket No. 13. Plaintiff must file and serve his amended complaint no later than **July 27, 2018**. If plaintiff does not file the amended complaint by that deadline, he will have to pursue the dismissed claims in a new action.

Defendants have filed an *ex parte* request for an extension of the deadline to file a dispositive motion. Upon due consideration of the request and the accompanying declaration of attorney Virginia Papan, the court GRANTS the request. Docket No. 18. The court grants a

1 longer extension of the deadlines due to the need to provide time for plaintiff to file an amended  
2 complaint. The court now sets the following new briefing schedule for dispositive motions:  
3 Defendants must file and serve their dispositive motion no later than **September 28, 2018**.  
4 Plaintiff must file and serve on defense counsel his opposition to the dispositive motion no later  
5 than **October 26, 2018**. Defendants must file and serve their reply brief (if any) no later than  
6 **November 9, 2018**.

7 **IT IS SO ORDERED.**

8 Dated: June 28, 2018



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SUSAN ILLSTON  
United States District Judge